

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Michael A. Shipp
	:	
v.	:	Mag. No. 11-4107 (MAS)
	:	
RUBENS DA SILVA,	:	
a/k/a "Diogo Oliveira"	:	<u>ORDER FOR CONTINUANCE</u>

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by André M. Espinosa, Assistant U.S. Attorney), and defendant Rubens Da Silva, a/k/a "Diogo Oliveira" ("Defendant") (by Stephen N. Dratch, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, pursuant to Title 18, United States Code, Section 3161(h), to allow the parties to conduct plea negotiations, attempt to finalize a plea agreement, and thereby avoid a possible trial; and no continuances having been previously granted by the Court; and Defendant being aware that he has the right to have the matter submitted to a grand jury within thirty days of the date of his arrest pursuant to Title 18, United States Code, Section 3161(b), and Defendant having consented to the continuance and waived such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:


- (1) Plea negotiations are currently in progress, and both the United States and Defendant desire additional time to negotiate a plea agreement, which would render any grand jury proceedings and any subsequent trial of this matter unnecessary; and
- (2) Pursuant to Title 18, United States Code, Section 3161(h), the ends of justice

served by granting the continuance outweigh the best interest of the public and Defendant in a speedy trial.

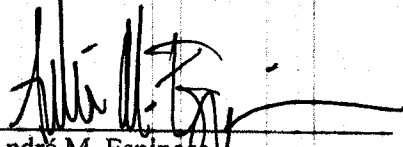
IT IS, therefore, on this 8<sup>th</sup> day of September, 2011,

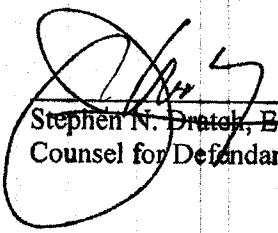
ORDERED that this action be, and it hereby is, continued from September 2, 2011, through November 1, 2011; and it is further

ORDERED that the period from September 2, 2011, through November 1, 2011; shall be excludable in computing time under the Speedy Trial Act of 1974.

  
HON. MICHAEL A. SHIPP  
United States Magistrate Judge

I hereby consent to the form  
and entry of this order

  
Andre M. Espinosa  
Assistant United States Attorney

  
Stephen N. Dratch, Esq.  
Counsel for Defendant

*JULIAN WILSEY, ESP.*